LAWYERS.

A. WRIGHT, L. D. M'RIBIUR, LURE E. WRIGHT WRIGHT, MCKISIOK & WRIGHT, Attorneys at Law N the Kit Williams Block, Nos. 3 and 6, np-stairs, Madison street. dec?

CHAS. A. CHOATE, COUNSELOR AT LAW

-AND-Solicitor in Bankruptcy,

Hos. 270 Second Street, and 450 Main St.,

another Chancellor, at Chambers, on the application of the defendants, ordered the injunction to be dissolved. And now the complainants come and ask the court in exercise of the power conferred by section 3933 of the Code, to supersede the Chancellor's order for dissolution. To understand the question which has MEMPHIS, TENNESSEE. My duties as Counsel for the General Assignee have led me to make the Fractice in Bankrupics a Specialty. queviz 2m en discussed, and the action of the Court in the premises, the facts material

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SOLICITORS AND ADVOCATES

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THIS FIRM, ESTABLISHED AT WASHington, (Office, 217 F Street), will attend to all cases that may be entrusted to them, in the supreme Court of the United States, and Court of Claims; and also to the recovery or claims against the Government or individuals, and to business before Congress and in the Depart

monts

T * enior member has been a practising lawyer for thirty-two years, and has member of the bars of the Supreme Courts of Argansas, Louisians and the United States. The junior, bred a lawyer, was long a Represent live and Senator in the Congress of the United States, and familiar with the modes of transaction beginses in the Departments. States, and familiar with the mouse of acting business in the Departments.

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*SPRING SCHEDULE,

Commencing February 15, 1869 Double Daily Through Trains WILL BUN AS FOLLOWS ON THE Memphis and Louisville R. R. Line

Cincinnati 11:15 a.m. Indianapolis 10:00 a.m. Baltimore 5:20 p.m. Washington 10:00 p.m. | Baltimore | \$20 p.ml | 2:80 a.m. | Washington | 10:00 p.m. | 5:15 a.m. | Philade phila | 6:20 p.m. | 3 0 a.m. | New York | 900 p.m. | 8:15 a.m. | Boston | 6:00 a.m. | 5:06 p.m. |

Through Tickets at Reduced Bates,

DISSOLUTION.

Dissolution.

THE firm of WHITE, KERR & BOOTES, was dissolved by limitation January 33, 1868.
Either party will sign in liquidation, and can be found at the office of Reotes, Vance & Co., 32 Main street, Gayoso Block.

C. B. VANCE, of Panols. G. F. ROUTES, of White, Kerr & Reotes.

Successors to White, Kerr & Rootes, WILL CONVINUE THE COTTON FACTORAGE,

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THE subscribers having put in operation their New Mill, on the alley east of Third sizest, between Poplar and Exchange, are prepared to furnish FINE WHITE ROLTED CORN MEAL in any quantity. FEED OF ALL KINDS GROUND as desired, and on hand for sale. This being a HOME MANU-FACTORY, a share of public patronage is as a procession, from the beginning to the present time, with little exception and that of recent date. No principle of creations was more firmly imbedded in

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W, C. POSTAL AGENT.

Come to a Shoe Stere for Shoes

to be stated are these : The Civil District Board of Education Pike & Johnson, of the Twelfth Civil District of Montgemery county, by virtue of, and in con-formity with the 14th section of the 83d chapter of the act of the General As-

sembly of Tennessee, enacted March 14 1868, assessed upon the taxable proper-ties within the civil district a tex of three mills upon the dollar, and fifty cents on each poll, for the purpose of raising \$7,-500, to be applied to the building, etc., of ses for the use of the children f the civil district. The tax collector was proceeding to enforce the collection of the tax; where-

SCHOOL TAXES.

tion Indicially Considered.

bill. Upon the coming in of the answer,

upon the complainants, who are tax payers of the civil district, exhibited this bill against the Board of E lucation, and the several members of it, and the tax Bector of the county, and praying a rovisional and perpetual injunction. The complainant slieges the fourteenth ction of the act, and the tax assessed pursuant to it, to be unconstitutional and void. And this is the question. The 14th section of the act of 1868 is as

trict directors acting as sub district directors, or on behalf of graded schools as tax on property and polls as shall be ary to pay teachers, or meet the incidental expenses of causing to be taught, the necessary schools as now recansas.

The Senior partner will hereafter especial to cases in the Supreme Court of each year; and should any further tax each year; and should any further tax be then deemed necessary for the purble of the purb quired by law, five consecutive months ose of building, repairing or furnishing ON, of that city.

Office in the MADAM VINCENT BLOCK, amount, not to exceed three mills on a dollar or fifty. bmit the question of assessment to the egal voters of the district, first having posted notices of the same in three of the most public places in the district previous to said election; and if the majority of the legal voters of the district resent at said meeting, shall vote for the esement, it shall be assessed. In each CHANGE OF TIME. case the tax assessed shall be entered on a tax duplicate by the County Court Clerk and collected by the tax collector his local taxes, and shall be disbursed by the

ders of said board, as already provided statute which has received the sanction the statute is in conflict with the constitutional law. If such conflict clearly

The question proposed is not open in Tennessee. It was closed by the judgment of the Supreme Court in 1830, and soon after again by the Convention of 1834, which framed the present Constitu-

cle 2, ordains that "the Legislative an- at Cambridge. These clock comparisons, thority of the State shall be vested in a by a system of signals, are now com—The Con-General Assembly, which shall consist of a Senate and House of Representatives, in 1830, and reported in 1 Yerger's Reports, 452, the question came before the Supreme Court, and it was the forest and the supreme court, and it was the forest and the supreme court, and it was the forest and the supreme court, and it was the forest and the supreme court, and it was the forest and the supreme court, and it was the forest and the suprements were made, which, though having no special connection with the general objects to be obtained, were of a very interesting above.

wer to enact statutory laws. Can be procured at the Company's Office, 237% Main street, and at Depot, head of Main street, when this decision was made, were Robert Whyte, Catron and Green. The question. It has, of late years, been et Whyte, Catron and Green. The pretty generally conceded by scientific mention of their names carries with it when this decision was made, were Robert Whyte, Catron and Green. The mention of their names carries with it when this decision was made, were Robert Whyte, Catron and Green. The mention of their names carries with it when this decision was made, were Robert Whyte, Catron and Green. The mention of their names carries with it when this decision was made, were Robert Whyte, Catron and Green. The mention of their names carries with the serving both these terms.

—With regard to Gen. Rufus King, the Milwaukee Sentinel says: "We bereby 'publish and make known," for the General's numerous treet.

vs. Ealoe, the Convention of 1834 was been from New York to San Francisco,

held. The decision was well known, The Convention had the power to ab rogate the rule totally, or to subject it to last night.

partial modifications. It chose the later, and authorized the Legislature to ROOTES, VANCE & CO. delegate the power of taxation to the counties and incorporated towns. This sistant George W. Dean, who is located was done by the 29th section of the 2d at Salt Lake City, to Gen. Anson S.ager, article of the Constitution. The Convention did not mean to go further. The the Western Union Company: mplication is irresistible that the ex-

corporated towns, and authorized the prompt attention to business."

power to be conferred on them, for the Further than this the rest the Legislature only. The purpose of the 29th section was to authorize the Legislature to confer the power of taxation on shortly announced, and will be looked the counties and incorporated towns, and for with great interest by scientific men no other or further.

present instance there has not been, in the legislative history of the State, any departure from it known to this Court.

It is conceded on all hands, that the It is conceded on all hands, that the It is conceded on the countles are not, in Provisional Government of 1848.

He lived through the reign of the conceded from the consolidated railroads, usually designated the Camden and Amboy monopoly, and a uniform tax on railroad property. ted towns, and that the fact that they of Cavaignac and the election of Louis are invested by the school law with some Napoleon, he retired to private life, of the capacities of corporate bodies does where he witnessed the creation of the

of the capacities of corporate bodies does not make them incorporated towns. By no fair sense of the words, nor by any existing similitudes, nor by any possible construction of the Constitution can the civil districts be held to be incorporated towns.

Were the question original and unsettled, much weight would be due to the persuasive and powerful arguments of the counsel for defendants, drawn from a comparison of the Constitutions of 1796 the counsel for defendants, drawn from a comparison of the Constitutions of 1796 and 1834, and from the principle that the legislative power is universal and absolute, except when expressly or by sogent implication limited by constitutional restrictions; and from the duty epjoined upon the Legislature by the Constitution to charish and promote literature, science and common education. Much The friends of the late Confederacy —The efficial report of the receipts for weight also would be owing to the ad-

wisely, and that is not for us to say, the tutional law of Tennessee is, that the taxing power is essentially legisla-tive, and incapable of delegation to other than the counties and incorporated Right to Anthorize their Collectowns. And so we declare, and having no doubt that it is so, we hold that the 14th section of chapter 83 of the act of B. G. Keese and others vs. the Cavil District Board of Education, etc., the Mambers of the Board, and the Tax Collector of Monigomery County.—In Chancery. March 14, 1868, and the tax assessed pur-suant to it, by the Board of Education of the 12th Civil District of Montgomery county, are unauthorized by the Consti-tution and are void. The Chanceller's At the instance of the complainants, a provisional injunction was granted in this case by the Chancellor, restraining the collection of the tax set forth in the

order dissolving the injunction will be superseded and vacated, and the Clerk of this Court will so certify to the Chancery Court at Clarksville. HENRY G. SMITH. I am unable to assent to the views ex-pressed by the majority of the Court in

this case

authority.

The case of Marr vs. Enloe decides that an act of the Legislature conferring on the contrary Courts unlimited power to levy taxes to meet the current expenses of the county is invalid, it being a delegation of legislative authority. But it is expressly held in that case that a statute authorizing the county courts to levy a tax of 121 cents per acre on lands for contingent expenses of the county is not unconstitutional. The reasoning of the Court in that case is applied mainly to the consideration of public policy, no authority is referred to in support of it, and I think the decision, so far as it is adverse to the constitutionality of such legislation, is opposed both to reason and

and long settled elsewhere, and I do not propose to enter into the discussion at ength here. See Cooley const. 191.
It is possible that the doctrine that the Legislature cannot confer the power of paying to him. taxation upon counties or other municisented to and acquiesced in as the settled law of this State, that it is now too late o question it, though it is a serious quastion how far that consideration atone should influence a court to set aside or disregard a clear and express enactment Sec. 14. Be it further enacted That the sub district directors or the civil dismay be, I am unwilling to hold that we are authorized to declare the act provided by law, are hereby authorized now in question, invalid upon the more authority of Marr vs. Ealoe, tax on property and polls as shall be expressly confers upon the Legislature the right to authorize taxation by counday last. the right to authorize taxation by counties and incorporated towns without using any more general terms, it must magnificent harbor, and only awaiting the completion of the Seima and Gulf little American flags upon all the principal plats. other municipal organization has in my opinion little weight in view of the fact hat at the time of the formation of that enstitution, no civil districts or local Education existed in this State, and that this power was by the

> nunicipal organization then existing. GEO. ANDREWS, Judge. LONGITUDE OF SAN FRANCISCO. C

> > Evening to Determine the

Rate of Electricity.

From the Chicago Times, 2d.) Quick Time Elast

The cours owe great respect to the legislative department of the government, and ought not to declare void a experiment in progress, under the distance have kept him going West. rection of the United States coast survey Louisville Route Always Ahead of the Legislature, unless it be clear that department, for the purpose of determining the longitude of San Francisco, in which the important part played by appear, the duty to so declare annot be the lines of the Western Union Teleelectric connection was made between extent of \$300, the clock of the Harvard observatory, the one at San Francisco, and those at lawy the intermediate points of Omaha and him.

pleted, and, on last night, which proved very favorable for telegraphic operations, delegated than can be delegated the pied in the passage of the electric current. The experiments on last evening hese men as much and probably more of speed. For the purpose of the experiand truth.

Four years after the decision of Marr ous circuits ever before worked have

> from New Orleans to New York, and and that the rule declared by it was the once from Cape Breton to San Francisco, constitutional law of the State. and miles shorter than the circuit worked entirely successful, as may be inferred

"The coast survey experiments last pression of the authority to delegate the power to the counties and towns, is an mission of clock signals through a combsolute exclusion of the authority to plex telegraphic circuit of 7000 miles was delegate the power to any other agency. It is impossible to doubt that the Convention designated the countles and in-

Further than this the result is not eason that without such designation the known, though, so far as it was possible power of taxation would be restricted to to observe the signals at the office here. of other or further.

The rule declared in Marr vs. Enlos, mine whether the rate of 190,000 miles per second is a correct approximation.

Death of Lamartine.

From the Louisville Democrat of the 3d.1. Alphonse de Lamartine is no more. He died day before yesterday at Macon, ganic law is more firmly imbedded in France, where he was born during the the jurisprudence of Tennessee, and in first outburst of the terrible revolution France, where he was born during the Mississippi Midland Railroad, and says the judicial and professional intelligence of 1789 93, which swept the monarchy of the State, than the principle that the and feudalism from France. He was on all our roads, as also on the Missis-Legislature cannot delegate the taxing thus a witness of the rise and fall of power, beyond the extent expressly designated by the Constitution. In according the power, beyond the extent expressly designated by the Constitution. In according to the rise and fall of sippi river, than any other scheme the wit of man could possibly devise.

—Gov. Randolph has sent a communication of Public Safety, of the feeble Directory, ance with it has been the uniform action of the first Empire, as well as the return of the Legislature heretofore. Until the and second expulsion of the Bourbons.

NEWS ITEMS.

-Mulberries are ripe at Tampa, Fix. -The Selma and Montgomery Railroad is to be finished this year. -The hogs in Ratherford county Tenn., are dying of a strange disease. -Searlet fever is prevailing extensive

ly in Norfolk, Va. -E. A. Pollard is ill in Richmond with congestion of the lungs. -The cold wet weather has greatly retarded planting operations in Louisiana -" Go Devil" is the St. Louis name

for velocipedes. -John B. Gough is lecturing in New York and Brooklyn. -With regard to the "d-d hot

story " Beecher says such a d-d thing," Beecher says he "never said any -The manufacture of Ice is to be commenced at Montgomery, Ala., in a few waeks. -Gov. Wise has two sons new living in Richmond, Va., one a physician, the other a lawyer.

-The courthouse of Buckingham county, Virginia, was burned last Friday. All the papers and records I st. -The Hon. John N. Washington grandson of Gen. George's uncle Lewis, died in Newbern, N. C., last week. He graduated at Yaje in 1841. The question has been often discussed

-Ger. Klapka, the great Hungarian general, is living at Nice on a small pen-sion which the Prussian Government is

thorsty to that effect in the constitution, or sojourning there, in behalf of their has been so long and so universally as--Lucille Western is in Salt Lake She may show the many-wived Mormons what a young, unaided woman can do in the way of many husbands. -Princess Bacciochi, who broke on

of the two prettiest legs in Europe last year, has died of disguit at having oiled the set, and left all her money to the Prince Imperial. -M. Wm. Taylor Burwell, son of Mr. The argument, that as the Convention which framed the Constitution of 1834 was shot and instantly killed by a man

-Norfolk thieves are the champion

of the heavy weights. Not long ago, they stole an iron safe, and on Sunday abstracted two steam engines from the Tunis warehouse, valued at \$500. -Mark Twain's "Open letter to Com-modore Vanderbilt," published in Pack-Constitution conferred upon the only ard's Monthly, is so very open as to be considered an abuse of the franking

sister of Senator Pomeroy's wife, and other young ladies of standing and influence, are taking up the Interesting Experiments on Last fluence, are taking up the refrain of woman suffrage at the Federal capital. -A Boston paper is sorry Weston though it had all been churned from the stopped his western march for want of richest cream. The experiment was The courts owe great respect to the govern- a smewhat detailed statement of the would have furnished any money to the process a wonderful discovery. This

> -A velocipedist in New Haven, while ented. crossing a street, ran into a horse and knocked him down. The horse was to njurded by the fall that the owner was obliged to kill him, and he now holds graph Company was fully explained. An the velocipede rider responsible to the -McKeau Buchanan once called on a lawyer in San Francisco to try a suit for

The lawyer, Coffroth his name Salt Lake City, whose longitude was also to be determined, for the purpose of self permanently retained against Bualso to be determined, for the purpose of regulating them by standard mean time change, in the Constitution, by section 3 of arti--The Count of Paris has just had born to him another son at the Twickenham chateau, on the banks of the Thames

The youngster has already been bap-tized, at York House, and titled Louis Philippe Rebert, Duke of Orleans, in the presence of all the English aristocracy. -Hernandez, the pantomimist, already in Nebraska prison for fourtee years, for attempting to kill his wife, has been additionally sentenced to seven years for shooting at Rainforth. Hernandez will be old enough to vote after

truth which will receive the assent of the miles per second has been settled upon as friends and admirers, that he at present enlightened lawyers of Tennessee, that an approximate measurement of its rate enjoys fine health and a lucrative position in the New York Custom-housthese men as much and processy in the court, than any other of the Judges who have ment of last night, a continuous metalic adorned the past history of the Court, eircuit from Harvard observatory to San men in the Senate is Sanator Saulsbury. -Probably one of the most polished laid the foundation of the jurisprudence Francisco and return was formed, ma-of Tennessee, and gave to it the great king a total distance of 7000 miles, the always a gentleman. He is "drunker measure it has of consistency, solidity longest over which signals have ever yet Sanisbury" in Rudical eyes. Dick Yates, of Illinois, is always drunk, and nearly always disgusting. He is "poor, kind-hearted, erring Dick Yates." Politics makes the difference.

-The Metropolitan Methodist Eoise pal Church in Washington was dedicated last Sabbath by Bishop Simpson. Among the noted characters present were Gan Grant, Schuyler Colfax, Chief Justice Chase, and a large number of both Houses of Congress. More than \$12,000 was subscribed to relieve the church o debt. It will seat a larger number o persons than any church in Washington. -A Havana letter says: "Senator Henderson, and some other distinguished pald a visit to the country after Gen. Dulce had furnished them with a "safe The former gentleman has returned from Matanzas, and leaves today in the steamer Columbia. Gov. Gardner also takes passage in her. Gen. McGibbons is still in the country. Steedman is here."

RAILROAD MATTERS.

-The work on the Massillon and Cleveland Railroad, now in course of before the next national anniversary the people will be in direct railroad commu nication with the Forest City.

-A Mississippi exchange urges the immediate undertaking of the proposed it will do more to bring down the rate of freight and passenger transportation -Gov. Randolph has sent a commu nication to the New Jersey Legislature,

—The Eastern Railroad Company has at Ipswich, Mass., a workman who has tended a switch and carried the mail for

tioned, on 13,355 miles, amounted to \$3,744,129, and for the corresponding period in 1867, on 18,060 miles, amounted to \$3,737,396. It will be seen that there was an increase of 316 miles of road during the interval between the two periods, but only an increase of \$6725 in the income. An examination of the

receipts of the fourteen principal lines shows that their profits are diminishing thus the sum taken in by these fourteen lines amounted altogether to \$8,162,955 on 9677 miles, while for the corresponding term in 1867 they realized \$3,164,820 on 9425 miles; or, in other words, their receipts fell off \$1865, although their lines had been increased 252 miles. Again, these statistics exhibit the fact that while some of the roads are doing a fair business, the others are earning very ittle. Thus these fourteen roads, with mileage of 9678, earned \$3,162,955, while

the remaining roads, with a mileage of

3678, only earned \$581,165.

An American Ball at Rome. The Americans in Rome had a grand ball on Twelfth Night. The wide stone stairway of the eld Palazzo Gregori was well lighted, lined with trees and flowers -Angusta, Ga., to February 18th, had received \$1,393 bales against \$5,956 bales stantial carpet. The ante-rooms were the same time last season; stock 19,400. filled with shrups and plants, the red berries of the holly intermingling with the pine, the fir, and the box-tree. The drawing rooms were festooned lowers from the lofty cellings, the side walls being decorated with busts, picures, and the stars and stripes. Houdin's bust of Washington, draped in the flag, was just above Healey's picture of Gen. Grant, while opposite was a bust of Lincoln, and on the side wall one of Gov. Seward, surmounting Buchanan eaying to him.

—A new society is arising in Paris grant flowers were everywhere, the pal organizations, without express au- among the opulent Americans traveling lights were brilliant, the music excellent, and the stone floors well protected with carpets, with crash for the dancers. The company numbered over 250, with half a dozen exceptions, all Americans, from New England to California. The dancing, which began at ten, was kept up with unabated spirit, and when the German, or cotilion as it is called, was reached, there were more than thirty couples on the floor. During the early part of the evening a buffet was provided, with sandwiches, cakes, and tes for the ladies; together with an artistic combination of champagne, green tea, pine-apples, strawberries, lemons, and snow. Toward midnight the supper room was thrown open, the tables well covered and resent the stars and stripes, and pretty

> A New Way to Make Butter. The method (exhibited at St. Louis) exceedingly simple. Four and a half pounds of Goshen butter were placed in an old-fashioned earthen church. There ingredient of but a few ounces in weight. nutricious and perfectly wholesome, no compound, no drug, but a common and cheap article familiar to every house The dasher was now vigorously mode of making butter has been pat-

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Cor. Union & Main streets.

Weight also would be owing to the adverse judicial opinions of the Courts of dead poet, for his powerful appeals in Britain during the week ending Decembers, some of the aister States of the Union. Like Thos, but the decision of this Court must be governed by the principles established of men who claimed to be struggling for the lives of internal improvements. The Buyers will find it to their interest and examine our large stock before pur isome feelight on all the railroads of Great Britain during the week ending Decembers. Some of the Courts of dead poet, for his powerful appeals in ber 19, 1868, gives a good idea of the businesse carried on by means of internal improvements. The Buyers will find it to their interest and examine our large stock before pur isome feeling to the law of Tennessee. Wisely or un-

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WE have on hand and offer for sale at the 100,000 Lbs. Pork, sides, Shoulders an

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10,000 Lbs. Pork Jowis. 200 Kegs prime Leaf Lard. 400 Rbls, assorted brands Flour.

360 Bbls. Seed Potatoes. 1,000 Doz. fresh country Fggs. 160 Bbls, Molasses.

90 Hhds. Sugar. 200 Bags Rio Coffee, 200 Bbls, and 200 sacks Sali, And a complete stock of Groceries.

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